

**Introduced by Senator Machado**

February 20, 2004

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An act to amend Section 52314 of the Education Code, relating to regional occupational programs.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1591, as introduced, Machado. Regional occupation programs: eligibility of pupils.

Existing law provides that a pupil must have attained the age of 16 years to be admitted to a regional occupational center or program, with certain exceptions.

This bill would provide that a pupil who will attain the age of 16 years during that school year may be admitted to a regional occupational center or program.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 52314 of the Education Code is  
2 amended to read:  
3 52314. (a) Except as provided in subdivision (b), any pupil  
4 eligible to attend a high school or adult school in a school district  
5 subject to the jurisdiction of a county superintendent of schools  
6 operating a regional occupational center or regional occupational  
7 program, and who resides in a school district which by itself or in  
8 cooperation with other school districts, has not established a  
9 regional occupational center, or regional occupational program, is  
10 eligible to attend a regional occupational center or regional



1 occupational program maintained by the county superintendent of  
2 schools. Any school district which in cooperation with other  
3 school districts maintains a regional occupational center, or  
4 regional occupational program, or any cooperating school districts  
5 may admit to the center, or program, any pupil, otherwise eligible,  
6 who resides in the district or in any of the cooperating districts.  
7 Any school district which by itself maintains a regional  
8 occupational center, or regional occupational program, may admit  
9 to the center, or program, any pupil, otherwise eligible, who  
10 resides in the district. ~~No~~ A pupil, including adults under Section  
11 52610 ~~shall~~ *may not* be admitted to a regional occupational center,  
12 or regional occupational program, unless the county  
13 superintendent of schools or governing board of the district or  
14 districts maintaining the center, or program, as the case may be,  
15 determines that the pupil will benefit therefrom and approves of  
16 his or her admission to the regional occupational center or regional  
17 occupational program.

18 A pupil may be admitted on a full-time or part-time basis, as  
19 determined by the county superintendent of schools or governing  
20 board of the school district or districts maintaining the center, or  
21 program, as the case may be.

22 (b) ~~No pupil shall be eligible to~~ *A pupil may not* be admitted to  
23 a regional occupational center or program, nor may his or her  
24 attendance be credited to a regional occupational center or  
25 program, until he or she has attained the age of 16 years, unless the  
26 pupil meets one or more of the following conditions:

27 (1) The pupil is enrolled in grade 11 or a higher grade.

28 (2) The pupil received a referral and all of the following  
29 conditions are met:

30 (A) The pupil is referred to a regional occupational center or  
31 program by a school counselor, school administrator, or classroom  
32 teacher. The referral shall include a written statement of the  
33 reasons why the pupil's educational needs cannot be met without  
34 the pupil being enrolled in a regional occupational center or  
35 program.

36 Pupils under 16 years of age eligible for enrollment in regional  
37 occupational centers and programs under this paragraph include,  
38 but are not necessarily limited to, pupils for whom there is a high  
39 probability that they will leave school prior to graduation.



1 (B) The referral is reviewed and approved by the principal or  
2 designated administrator of the school in which the pupil is  
3 enrolled.

4 (C) The referral is reviewed and approved by the director or  
5 designated administrator of the regional occupational center or  
6 program to which the pupil has been referred.

7 (D) The pupil is enrolled in a high school, which, for purposes  
8 of this requirement, means a school that maintains any of grades  
9 9 to 12, inclusive.

10 (3) The pupil's individualized education program adopted  
11 pursuant to the requirements of Chapter 2 (commencing with  
12 Section 56300) of Part 30 prescribes occupational training for  
13 which his or her enrollment in a regional occupational center or  
14 program is deemed appropriate.

15 (4) *The pupil will attain the age of 16 years during that school*  
16 *year.*

17 (c) Each school district, county superintendent of schools, or  
18 joint powers agency which maintains a regional occupational  
19 center or regional occupational program shall submit to the State  
20 Department of Education, at the time and in the manner prescribed  
21 by the Superintendent of Public Instruction, the enrollment and  
22 average daily attendance for each grade level and the enrollment  
23 and average daily attendance for each exemption set forth in  
24 subdivision (b).

25 The State Department of Education shall submit this  
26 information to the Legislature and to the Director of Finance by  
27 April 1 of each year for the preceding school year.

